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SUMMARY RECORD OF THE 58th MEETING

Chairman: Mr. KRENKEL (Austria)

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The meeting was called to order at 3.20 p.m.

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(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/47/24 and Add.1, A/47/353, A/47/434, A/47/445, A/47/479, A/47/501, A/47/502, A/47/503, A/47/504, A/47/552, A/47/626, A/47/630, A/47/668 and Add. 1 and Corr.1, A/47/701, A/47/702)

Draft resolutions A/C.3/47/L.66, L.67, L.68 and L.69

Draft resolution A/C.3/47/L.66

1. The CHAIRMAN said that in addition to Malawi and the Republic of Korea, which had announced their intention to co-sponsor draft resolution A/C.3/47/L.66 at the time of its introduction, the Republic of Moldova, Samoa, Sri Lanka and Tajikistan had become sponsors of the text. He drew attention to a drafting error on page 4 of the French version of document A/C.3/47/L.66, where the title of the Declaration should read: "Déclaration sur les droits des personnes appartenant à des minorités nationales ou ethniques, religieuses et linguistiques".

2. Draft resolution A/C.3/47/L.66 was adopted without a vote.

3. Mr. BURCUOĞLU (Turkey) said that the text adopted by consensus contained no definition of the term "minorities". That omission could, in future, become a source of confusion or even conflict. Turkey would therefore interpret the Declaration in accordance with the bilateral or international instruments to which it was a party and in which the status of minorities was clearly defined. He found it regrettable that the concept of "political unity" was not mentioned in article 8, paragraph 4. That concept was as important as the concepts of "territorial integrity" and "political independence".

4. Mr. SCHUTTE (Germany) said that his delegation had joined the consensus on draft resolution A/C.3/47/L.66, thereby confirming Germany's position on that question, as explained to the Commission on Human Rights at the time of the adoption of resolution 1992/16.

Draft resolution A/C.3/47/L.67

5. The CHAIRMAN said that in addition to the countries which had become sponsors of draft resolution A/C.3/47/L.67 at the time of its introduction, Côte d'Ivoire, Croatia, Japan and Samoa had indicated their intention to co-sponsor the text.

6. Draft resolution A/C.3/47/L.67 was adopted without a vote.

Draft resolution A/C.3/47/L.68

7. The CHAIRMAN announced that Angola, India, Namibia and Zambia had become sponsors of the draft resolution.

8. Mr. RAVEN (United Kingdom), explaining the position of the States members of the European Community before the vote on draft resolution A/C.3/47/L.68, said that despite the importance they attached to the promotion of all human rights, and although they were aware of the economic difficulties of developing countries, the Twelve would abstain in the vote on the draft resolution because the preamble seemed to imply that there were prior conditions for the exercise of human rights, and that was unacceptable. The Twelve also found it regrettable that in the text, the concept of human rights was distorted by the insistence placed on the collective approach to human rights, so that it was not made clear that the beneficiaries of those rights were individuals. Moreover, the draft resolution failed to mention that all violations of human rights fell within the purview of the international community.

9. A recorded vote was taken on draft resolution A/C.3/47/L.68.

In favour: Afghanistan, Algeria, Angola, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Oman, Pakistan, Paraguay, Peru, Qatar, Republic of Korea, Rwanda, Saint Kitts and Nevis, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: None.

Abstaining: Argentina, Australia, Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Canada, Croatia, Czechoslovakia, Denmark, Estonia, Fiji, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Netherlands, Norway, Panama, Philippines, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Samoa, Slovenia, Spain, Sweden, Togo, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

10. Draft resolution A/C.3/47/L.68 was adopted by 102 votes to none, with 49 abstentions.

11. Mr. KUEHL (United States of America) supported the comments made by the representative of the United Kingdom on behalf of the European Community States and recalled that his delegation had stated its position on the subject of draft resolution A/C.3/47/L.68 after the vote on draft resolution A/C.3/47/L.49 concerning the right to development.

Draft resolution A/C.3/47/L.69

12. The CHAIRMAN announced that Australia, Canada, Cape Verde, Chad, the Republic of Moldova, Nicaragua, Samoa and Tajikistan had joined the sponsors of the draft resolution.

13. Mr. FERNANDEZ (Cuba) recalled that, in his 1991 report on the question, the Secretary-General had said that it was the view of most Member States that electoral assistance by the United Nations should remain an exceptional activity and that most Member States had opposed the establishment of a new United Nations structure for that purpose. The Secretary-General had therefore decided to establish the Electoral Assistance Unit referred to in paragraph 3 of the draft resolution without the authorization of the General Assembly. The request to the Secretary-General to provide the Electoral Assistance Unit with adequate human and financial resources was contrary to the wishes of most Member States. Moreover, the "guidelines" referred to in paragraph 9 had been brought to the attention of delegations only the day before and therefore too late for them to be given careful study.

14. The United Nations should provide electoral assistance only at the request of the countries concerned and in quite exceptional cases, for example after conflicts arising out of the decolonization process, and with the agreement of the parties to those conflicts. The right to choose their electoral systems, which might be very varied, belonged to sovereign peoples alone. For all those reasons, his delegation would vote against the draft resolution.

15. Mr. LAPOUGE (France), explaining his delegation's position before the vote on draft resolution A/C.3/47/L.69, said that France supported the principle of electoral assistance as defined in General Assembly resolution 46/137. The usefulness of such assistance was shown by the number of requests received for it by the United Nations in 1992. However, his delegation was concerned at the machinery for such assistance referred to in draft resolution A/C.3/47/L.69. It was essential to establish clear rules on the subject which would be the same for all, but paragraph 4 of the draft resolution referred to a "case-by-case" approach. Moreover, the guidelines referred to in paragraph 9 should have been submitted to delegations within a reasonable time frame, which had not been the case. It was also essential, for reasons of equity and transparence, for the electoral assistance to be financed under the regular budget and not, as paragraph 5 of the draft resolution provided, from a separate fund, as such operations were political in nature and must not be made dependent on the goodwill of contributors. Furthermore, the decision to establish an electoral assistance unit of which the General Assembly was asked to take note in paragraph 3 went beyond the authority given the Secretary-General in General Assembly resolution 46/137, which only requested him to appoint a senior official who, in addition to his normal functions and with a small staff, would coordinate the requests received from Member States. Lastly, the content of paragraph 7 gave rise to fear of a kind of bureaucratization which Member States did not desire. In spite of the improvements made in the text of the proposal, including the request in paragraph 4 that Member States be informed on a regular basis about the requests received and the responses given to those requests, and the request in paragraph 8 to reinforce the Centre for Human Rights, which had a very important part to play in creating genuinely democratic societies, his delegation could not support draft resolution A/C.3/47/L.69. It would therefore abstain in the vote on the draft resolution and hoped that the discussion of the question would be continued in more favourable circumstances.

16. Mr. YUAN Shou Cheng (China) expressed regret that the cart had been put before the horse, so to speak, by recommending "guidelines" to delegations which they had been unable either to examine or discuss. That was an undemocratic practice which was, unfortunately, all too frequent in the Third Committee. Moreover, the decision to establish the Electoral Assistance Unit referred to in paragraph 3 went beyond the authority granted by General Assembly resolution 46/137.

17. About 40 requests for electoral assistance had been made to the United Nations during the year. In Cambodia, the United Nations was preparing to organize elections. In Angola, it had verified the electoral process. In both cases, it had acted with the agreement of parties which were seeking a peaceful solution to a conflict. Draft resolution A/C.3/47/L.69, which dealt with the principle of periodic and genuine elections had nothing to do with such situations.

18. The guidelines referred to in paragraph 9 were therefore a matter for such bodies as the Security Council, the Trusteeship Council or the Special

(Mr. Yuan Shou Cheng, China)

Political Committee; the Third Committee was exceeding its authority by recommending such guidelines. His delegation could not agree to blurring the responsibilities of the different bodies.

19. Elections involved the internal affairs of States and the United Nations had no authority to intervene systematically in that area. His delegation understood that some countries might request electoral assistance, but such assistance should be provided in accordance with the Charter and with due respect for national sovereignty.

20. A recorded vote was taken on draft resolution A/C.3/47/L.69.

In favour: Afghanistan, Albania, Algeria, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, Gabon, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Micronesia (Federated States of), Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Samoa, Senegal, Sierra Leone, Singapore, Slovenia, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Venezuela, Yemen, Zambia.

Against: Sudan.

Abstaining: Angola, China, Colombia, Cuba, Democratic People's Republic of Korea, Equatorial Guinea, France, Iraq, Japan, Lao People's Democratic Republic, Malaysia, Mexico, Myanmar, Namibia, Philippines, Syrian Arab Republic, United Republic of Tanzania, Viet Nam, Zimbabwe.

21. Draft resolution A/C.3/47/L.69 was adopted by 129 votes to 1, with 19 abstentions.

22. Ms. AIOUAZE (Algeria) said that her delegation had voted for the draft resolution because of her country's commitment to the principles of democracy. Nevertheless, she did have two comments to make on that subject. First, her delegation considered the use of the expression "guidelines for Member States" in the title of document A/47/668/Add.1 to be inappropriate, particularly in view of the mandate that the General Assembly had given the Secretary-General in resolution 46/137. Furthermore, paragraph 4 of the report of the Secretary-General (A/47/668/Add.1) was confusing: it referred to two special cases in which the United Nations had assumed a role normally fulfilled by national election authorities. While the reference was relevant in one of those cases, it was not relevant in the case of Western Sahara, which had no "national" election authority because it was a Non-Self-Governing Territory in which the referendum on self-determination was taking place in the context of completion of the decolonization process.

23. Mr. BIGGAR (Ireland) said that his delegation had voted for the draft resolution because it considered the electoral activities of the United Nations to be extremely useful. His delegation had noted with interest the guidelines referred to in paragraph 9 of the resolution. Lastly, Ireland welcomed the decision to send a mission to Eritrea to verify the referendum there.

24. However, he believed that electoral assistance operations should be financed by all members of the international community and, hence, under the regular budget; the provisions of paragraphs 5 and 7 were therefore regrettable. Moreover, as electoral assistance operations were bound to proliferate in the future, he failed to understand why they were to be considered only biennially as of the forty-ninth session.

25. Ms. TERANISHI (Japan) said that her country supported the principle of periodic and genuine elections but had reservations regarding paragraphs 3, 5 and 7 of resolution L.69. She believed that the decision to establish an Electoral Assistance Unit was premature; such a Unit was not envisaged in General Assembly resolution 46/137 and would absorb resources which the Organization needed to finance other activities. Japan had made its position known in 1991 and requested that a more in-depth study be made of ways of following up resolution 46/137.

26. Mr. SCHUTTE (Germany) said that his delegation believed that the United Nations had a very important role to play in enhancing the effectiveness of the principle of periodic and genuine elections and welcomed the amendments agreed to by the sponsors, which had made it possible for Germany to vote for the draft resolution. He reaffirmed, however, that for reasons of principle it was essential that electoral assistance provided by the United Nations should be financed under the regular budget and not through voluntary contributions. His Government therefore had reservations with respect to paragraph 5. On the other hand, Germany was very much in favour of strengthening the Centre for Human Rights as provided for in paragraph 8.

27. Mr. AL-DOUSARI (Qatar) said that the Arab Group had voted for the resolution, as it had done in 1991, even though it deeply regretted the changes that had been made since then. He hoped that, in future, the Committee would refrain from putting the interests of certain countries first, thereby undermining the credibility of United Nations resolutions.

28. Mr. CABRAL (Portugal) emphasized the importance of the Organization's electoral assistance role, as evidenced by the growing number of requests made for such assistance. However, given the scope of the task that lay ahead, his delegation deeply regretted the decision taken in paragraph 11 to biennialize consideration of that question as of the forty-ninth session. It also believed that the mandate of the Electoral Assistance Unit should have been more clearly defined and that electoral assistance activities should be financed under the regular budget.

29. Mr. MAZLAN (Malaysia) said that his delegation had abstained in the vote even though it was absolutely in favour of the goals of the resolution, because a text of such importance should have been submitted in time for delegations to be able to examine and debate it in depth.

AGENDA ITEM 97: HUMAN RIGHTS QUESTIONS (continued)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued) (A/47/367 and Add.1, A/47/418-S/24516, A/47/596, 617, 621, 625 and Corr.1, A/47/635-S/24766, A/47/651, 656, A/47/666-S/24809, A/47/676)

AGENDA ITEM 149: THE SITUATION OF HUMAN RIGHTS IN ESTONIA AND LATVIA (continued) (A/47/247; A/C.3/47/9)

Draft resolutions A/C.3/47/L.48, L.57, L.70-77)

30. The CHAIRMAN noted that the draft resolutions had no financial implications and invited the Committee to vote on draft resolution A/C.3/47/L.48, entitled "Cooperation of the Government of Cuba with the Commission on Human Rights in accordance with resolutions 728 F (XXVIII) and 1503 (XLVIII) of the Economic and Social Council and the thematic procedures established by the Commission", which had been submitted by Cuba. The Cuban delegation had revised the draft resolution orally, with the result that the words "is unjustified" at the end of paragraph 1 of the English text should be replaced by the words "should in this case be re-examined". Paragraph 1 would thus read:

> "Considers that the various reports submitted on the human rights situation in Cuba show that the use of the procedures envisaged for serious situations of human rights violations in the world should in this case be re-examined;".

31. Mrs. TAHIR-KHELI (United States of America), invoking rule 131 of the rules of procedure of the General Assembly, recommended that the Committee should vote on draft resolution A/C.3/47/L.70 before taking a decision on draft resolution A/C.3/47/L.48, since L.70 had been submitted before L.48. She noted that draft resolution L.70 reflected truly and accurately the conclusions of the Special Rapporteur on the situation of human rights in Cuba, whereas draft resolution L.48 questioned the application to Cuba of "the procedures envisaged for serious situations of human rights violations in the world". There was no justification for making an exception for Cuba. Moreover, the Commission on Human Rights had itself decided that the procedures in question should be applied to Cuba.

32. Ms. AL-HAMAMI (Yemen) said that her country customarily denounced all human rights violations irrespective of the country in which they occurred. However, having noted that certain States were politicizing human rights questions and that, as a result, human rights situations were being considered selectively, Yemen had decided not to vote on any of the draft resolutions relating to human rights situations except those adopted by consensus or enjoying broad support.

33. Mr. FERNANDEZ (Cuba) noted that his delegation had been the only one to request the floor and that it was probably by magic that the United States had had the privilege of speaking first.

34. He pointed out that in the Spanish version of draft resolution L.48, the reference to resolution 1503 (XLVIII) of the Economic and Social Council had been omitted from the title. He requested that a reference to that resolution be included in the title of all language versions.

35. Cuba believed that the motion of precedence proposed by the United States of America was an unacceptable manoeuvre designed to prevent action on the Cuban draft resolution. Firstly, the draft had been submitted before the deadline; secondly, the oral change made to the draft at the previous meeting envisaged further cooperation between the Cuban Government and the Commission on Human Rights in reviewing the human rights situation in Cuba. Accordingly, Cuba would vote against the motion of precedence.

36. The CHAIRMAN said that the Cuban representative's clarification regarding Economic and Social Council resolution 1503 (XLVIII) would be duly noted. In addition, as Cuba had been third on the list of speakers, magic had had nothing to do with the order in which the representatives spoke.

37. He read out rule 131 of the rules of procedure of the General Assembly.

38. Mr. YUAN Shou Cheng (China) observed that, according to rule 131 of the General Assembly's rules of procedure, when several draft resolutions concerning the same subject were submitted, they should be announced in the order in which they had been submitted, and not in the reverse order as seemed to be the case at present.

39. A recorded vote was taken on the motion of precedence submitted by the United States of America.

In favour: Albania, Argentina, Armenia, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Congo, Costa Rica, Croatia, Czechoslovakia, Denmark, Estonia, Fiji, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Micronesia (Federated States of), Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Slovenia, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against: Angola, Belarus, Burkina Faso, China, Cuba, Democratic People's Republic of Korea, Ghana, Iran (Islamic Republic of), Iraq, Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Myanmar, Namibia, Sudan, Syrian Arab Republic, Uganda, Ukraine, United Republic of Tanzania, Viet Nam, Zambia, Zimbabwe.

Abstaining: Afghanistan, Algeria, Antigua and Barbuda, Azerbaijan, Bahamas, Bangladesh, Barbados, Belize, Benin, Bolivia, Botswana, Brazil, Colombia, Côte d'Ivoire, Cyprus, Ecuador, Egypt, El Salvador, Equatorial Guinea, Guyana, India, Indonesia, Jamaica, Jordan, Malawi, Mexico, Mongolia, Nepal, Papua New Guinea, Peru, Philippines, Rwanda, Saint Kitts and Nevis, Singapore, Sri Lanka, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Venezuela.

40. The motion of precedence was adopted by 59 votes to 23, with 41 abstentions.

41. Mr. MOTSYK (Ukraine) said that his country had voted against the motion of precedence proposed by the United States because there was nothing before the Committee to justify a change in the order of voting on the draft resolutions. A State's sovereign right to have its position heard should not be allowed to be violated through selective and partial application of the rules of procedure of the General Assembly. The question of precedence in no way changed his delegation's position on the substantive issues addressed in draft resolutions L.48 and L.70: it supported the draft resolution submitted by the United States of America and would have voted against the draft submitted by Cuba had it been put to a vote.

Draft resolution A/C.3/47/L.70

42. The CHAIRMAN drew attention to draft resolution L.70 entitled "Situation of human rights in Cuba" which had been submitted by the United States of America, and said that the following countries should be added to the list of sponsors: Iceland, Latvia, Luxembourg, Portugal and Romania.

43. Mrs. OUSSIDINI (Uruguay) said that Uruguay would vote in favour of the draft resolution on account of its content. Nevertheless, the text should have been more balanced and should have taken into account paragraphs 60, 61 and 62 of the Special Rapporteur's report, which had noted the international climate hostile to Cuba.

44. Mr. ARRIA (Venezuela) said that neither draft resolution L.48 nor draft resolution L.70 met the criteria of objectivity, neutrality and impartiality which should be applied in considering human rights situations, and thus neither contributed to the cause of promoting or enhancing respect for human rights. Venezuela could not support the draft resolution submitted by Cuba because it appeared to conflict with the provisions of resolution 1992/61 of the Commission on Human Rights. As for draft resolution L.70, while it contained information which accurately depicted the human rights situation in Cuba and approved the recommendations of the Special Rapporteur, its wording was not consistent with the conclusions of the Special Rapporteur, in particular with paragraphs 59 and 62 of the report.

45. He regretted that the Government of Cuba had not made the work of the Special Rapporteur easier but was convinced that Cuba would ultimately take the Special Rapporteur's recommendations into account. With that in mind, his Government took the opportunity to appeal to the Government of Cuba not to hinder the Special Rapporteur in the fulfilment of his mandate. The acceptance by Cuban authorities of the presence of the Special Rapporteur in Cuba would show that the Government of Cuba was sensitive to the concerns of the international community, and would allow a more objective and accurate assessment of the human rights situation in that country.

46. From Venezuela's perspective, the question of human rights in Cuba went beyond the question of relations between Cuba and the United States of America to the situation of a fraternal people whose fate it could not ignore. The decision of some Latin American countries to vote in favour of draft resolution L.70 was an event of great importance in his delegation's eyes, because it confirmed that those countries, which not so long ago had themselves known serious human rights violations, fully appreciated the interest that the Commission on Human Rights took in Cuba. In conclusion, he warned that Cuba should not discount the concern of the international community because of its bilateral disputes with the United States.

47. Mrs. ALVAREZ (Dominican Republic) said that her delegation would vote in favour of draft resolution L.70 because it believed that the Special Rapporteur should be able to complete his mission, which did not constitute

(Mrs. Alvarez, Dominican Republic)

interference in the internal affairs of Cuba. She stressed, however, that the mandate of the Special Rapporteur should be confined exclusively to the human rights situation in that country.

48. Mr. MARTINI HERRERA (Guatemala) said that his delegation would abstain in the vote on draft resolution L.70, which did not mean that it was not concerned about human rights issues. On the contrary, Guatemala was deeply committed to the defence of human rights and fundamental freedoms, but it totally disapproved of the methods used in the United Nations in dealing with those matters, in particular, the selectivity and partiality manifested for political reasons. His delegation hoped that the World Conference on Human Rights would give close attention to that extremely disturbing issue.

49. Mr. KIM Jae Hon (Democratic People's Republic of Korea) said that his delegation supported draft resolution L.48, and not L.70, since it believed that the Cuban Government had cooperated to the full with the Commission on Human Rights. In addition, his delegation recalled the principles which, as had recently been reaffirmed by the Movement of Non-Aligned Countries at the Jakarta Conference, should guide the consideration of human rights issues in international forums, namely, impartiality, neutrality, objectivity and respect for national sovereignty.

50. Mr. FERNANDEZ (Cuba) requested that a recorded vote be taken on draft resolution L.70 and said that his delegation would vote against the resolution.

51. At the request of the representative of Cuba, a recorded vote was taken on draft resolution A/C.3/47/L.70.

In favour: Albania, Argentina, Armenia, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Costa Rica, Croatia, Czechoslovakia, Denmark, Dominican Republic, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kenya, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Marshall Islands, Mauritius, Micronesia (Federated States of), Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Saudi Arabia, Singapore, Slovenia, Spain, Sweden, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against: Angola, China, Cuba, Democratic People's Republic of Korea, Ghana, Iran (Islamic Republic of), Iraq, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Myanmar, Namibia, Sudan, Syrian Arab Republic, Uganda, United Republic of Tanzania, Viet Nam, Zimbabwe.

Abstaining: Afghanistan, Algeria, Antigua and Barbuda, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Cameroon, Colombia, Congo, Côte d'Ivoire, Cyprus, Ecuador, Egypt, Equatorial Guinea, Gabon, Guatemala, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Jamaica, Jordan, Kazakhstan, Lebanon, Lesotho, Liberia, Madagascar, Malawi, Malaysia, Mauritania, Mexico, Niger, Nigeria, Pakistan, Papua New Guinea, Peru, Philippines, Rwanda, Saint Kitts and Nevis, Sierra Leone, Sri Lanka, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Venezuela, Zambia.

52. Draft resolution A/C.3/47/L.70 was adopted by 64 votes to 17, with 59 abstentions.

53. Mr. SERGIWA (Libyan Arab Jamahiriya) said that his delegation had voted against draft resolution L.70 because it believed that the consideration of human rights issues should be governed by the principle of non-selectivity. Using the issue of human rights for political ends or to change the system which a country had chosen of its own free will was contrary to the Charter of the United Nations. Libya's vote should not be seen as evidence of any lack of concern for human rights. On the contrary, Libya believed that the question of human rights was of fundamental importance in the modern world and should be accorded the highest priority. It was for that reason, furthermore, that Libya would participate actively in the World Conference on Human Rights in 1993.

54. Mr. YOUSIF (Sudan) said that his delegation had voted against draft resolution L.70 because it thoroughly disapproved of the manner in which the issue of human rights was treated in the United Nations, whereby certain countries manipulated the international community for political ends. What had happened prior to the vote on draft resolution L.70 amply demonstrated the point made by his delegation.

55. The CHAIRMAN again read out rule 131 of the rules of procedure of the General Assembly.

56. Mr. SZELEI (Hungary) said that, since the Committee had adopted resolution L.70, his delegation believed that there was no point in considering draft resolution L.48/Rev.1.

57. Mr. MORA GODOY (Cuba), supported by Mr. YOUSIF (Sudan), insisted that draft resolution A/C.3/47/L.48/Rev.1 should be considered.

58. The CHAIRMAN decided to put the motion proposed by Cuba to the vote.

59. A recorded vote was taken on the Cuban motion that draft resolution A/C.3/47/L.48/Rev.1 should be considered.

In favour: Algeria, Angola, Burkina Faso, China, Cuba, Democratic People's Republic of Korea, Ghana, Honduras, Iran (Islamic Republic of), Iraq, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mongolia, Myanmar, Namibia, Sudan, Syrian Arab Republic, Uganda, United Republic of Tanzania, Viet Nam, Zambia, Zimbabwe.

Against: Albania, Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Costa Rica, Czechoslovakia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Micronesia (Federated States of), Netherlands, New Zealand, Norway, Panama, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Singapore, Slovenia, Spain, Sweden, Turkey, Ukraine,* United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Afghanistan, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Cameroon, Colombia, Congo, Côte d'Ivoire, Croatia, Cyprus, Ecuador, Egypt, El Salvador, Equatorial Guinea, Fiji, Guatemala, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Jamaica, Jordan, Kazakhstan, Malawi, Mexico, Nicaragua, Nigeria, Pakistan, Papua New Guinea, Peru, Philippines, Rwanda, Saint Kitts and Nevis, Saudi Arabia, Sri Lanka, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Uruguay, Venezuela.

60. The Cuban motion that draft resolution A/C.3/47/L.48/Rev.1 should be considered was rejected by 50 votes to 25, with 54 abstentions.

61. Mr. BRITO (Brazil), speaking in explanation of vote after the voting, said that his delegation had abstained in the vote on draft resolution A/C.3/47/L.70 and would also have abstained on draft resolution A/C.3/47/L.48/Rev.1, had it been put to the vote. While recognizing the competence of United Nations bodies with respect to human rights issues, he felt that politicization of the issues by the United Nations did little to promote respect for human rights in the world. If any issue had been politicized at the United Nations, it was surely the issue of the human rights situation in Cuba. Draft resolution A/C.3/47/L.70 in no way reflected the

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* See paragraph 62.

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balanced assessment of the situation given by the Special Rapporteur in his report. In particular, the Special Rapporteur had indicated clearly that the economic sanctions against Cuba ran totally counter to the goal pursued.

62. Mr. MOTSYK (Ukraine) said that a technical error had occurred during his delegation's vote on the proposal by Cuba to consider draft resolution A/C.3/47/L.48/Rev.1. His delegation had intended to vote in favour of Cuba's proposal, but the electronic system had recorded a vote against.

Draft resolution A/C.3/47/L.57

63. The CHAIRMAN said that the Dominican Republic, Cuba, Canada, Samoa, Belize and Bolivia had joined the sponsors of the draft.

64. Draft resolution A/C.3/47/L.57 was adopted without a vote.

Draft resolution A/C.3/47/L.71

65. Draft resolution A/C.3/47/L.71 was adopted without a vote.

66. Mr. GHAFOORZAI (Afghanistan) said that he wished to express the Afghan people's gratitude to Mr. Ermacora, the Special Rapporteur, who had been monitoring the situation in Afghanistan for several years with tireless devotion. For the Afghan people, Mr. Ermacora was a friend.

67. He recalled his people's long struggle to overthrow the communist regime and establish an Islamic State in Afghanistan. It was against that background that the report of the Special Rapporteur (A/47/656) should be considered. The report dealt not only with the human rights situation in his country, but also took account of the economic and political situation, and as such could be considered comprehensive.

68. He stressed that the conditions in his country were a product of 14 years of war and destruction. The country's economic and social infrastructure had broken down, as indicated in paragraph 125 of the report: people's lives were threatened by the existence of millions of land-mines, the country had practically no drinking water, and there were 5 million refugees. In addition, the human rights violations committed by the foreign occupying forces ran into hundreds and were on a scale difficult to imagine, as indicated in paragraph 138 of the Special Rapporteur's report, which referred to the discovery, as recently as 21 September 1992, of mass graves containing 2,000 bodies, apparently buried with the aid of bulldozers.

69. Given the state of the country it had inherited, it would be unreasonable to expect miracles from the newly-founded Islamic State, especially as it needed not only to ensure respect for human rights and fundamental freedoms, but also to strengthen internal security and political stability. It was regrettable that because of the security situation in the city the Special Rapporteur had been unable to visit Kabul in August; had he been able to visit

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Kabul, he would have obtained a more realistic view of the situation in Afghanistan. In particular, the Afghan delegation was surprised at the harsh conclusions reached in paragraph 116 of the report, which were not based on adequate evidence. It hoped that the Special Rapporteur would be able to visit Kabul in January 1993, at the invitation of the Deputy Minister for Foreign Affairs of Afghanistan.

70. The Islamic State of Afghanistan was based on the rules of the Islamic Sharia, which not only provided the best protection for human rights but also guaranteed social justice. As soon as it had been established, the Islamic State of Afghanistan had pledged to respect the Charter of the United Nations and the Universal Declaration of Human Rights and to honour all other economic and social covenants to which Afghanistan had acceded. Afghanistan welcomed United Nations efforts to improve the situation of the Afghan nation and intended to cooperate with the United Nations in that task.

71. While his delegation was grateful to the Chairman and to the delegations that took a keen interest in the situation in Afghanistan - particularly the Italian delegation, which had traditionally assumed the task of presenting the draft resolution on the issue - it would nevertheless like to enter some reservations with respect to the text of the resolution just adopted by consensus. The ninth preambular paragraph referred to "the prevailing uncertainty in the country" which might "affect the situation of members of ethnic and religious minorities". That preambular paragraph was incompatible with the twelfth preambular paragraph, in which the General Assembly welcomed the fact that over one million refugees had returned to Afghanistan since April 1992. Paragraph 65 of the Special Rapporteur's report also noted that more than one million Afghans had returned home at an average rate of 40,000 a week. Moreover, notwithstanding the events of August, which had affected the security situation in Kabul and caused some members of the Hindu and Sikh minorities to leave the city, many of the people who had fled to India as a result of those events had contacted the Afghan Embassy in New Delhi in order to secure the necessary papers for their repatriation. If the situation were so uncertain, one million refugees would never have returned to their country. There had undoubtedly been some skirmishes, even in Kabul, which was understandable in view of the substantial political transformation occurring in the country.

72. The rights of religious minorities were protected by the humanitarian code under the Islamic Sharia, which contained formal provisions with respect to the protection of the life and property of a zami, that was to say, a non-Muslim. The ninth preambular paragraph therefore did not apply to the situation in Afghanistan.

73. The eleventh preambular paragraph referred to "prisoners who were associated with the former Government". Since the Government of the Islamic State of Afghanistan had granted general amnesty without discrimination, with the exception of one particular case which the United Nations was aware of and understood, there were no "prisoners who were associated with the former

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Government" in Afghanistan. The Special Rapporteur would be able to verify that during his visit to Kabul in January 1993.

74. After 14 long years of destructive war and massive violations of human rights, Afghanistan had initiated a political process with the aim of restoring human rights and fundamental freedoms. A council in which hundreds of representatives from different sectors of the population were expected to participate would be held soon in Kabul to elect the future leaders of the country in accordance with the Peshawar Accord of 24 April 1992. The future Government would in turn draft the constitution and electoral law, and convene general and free elections on the basis of universal adult suffrage. Had the report taken due account of those facts, it would have provided a more realistic picture of the situation in Afghanistan.

Draft resolution A/C.3/47/L.72

75. The CHAIRMAN invited members of the Committee to consider the draft resolution entitled "Situation of human rights in the Sudan", submitted by the delegation of the Sudan.

76. Mr. RAVEN (United Kingdom) speaking on behalf of the European Community and its member States, expressed surprise at the content of draft resolution A/C.3/47/L.72, which was in fact a procedural motion designed to prevent the Committee from voting on draft resolution A/C.3/47/L.77, entitled "The situation in the Sudan". He wished to make clear the European Community's position on that issue. He was well aware that the Commission on Human Rights was carrying out confidential investigations, and that the report of the Special Representative would be submitted to the Commission in February 1993. However, the General Assembly had every right to consider the situation of human rights in the Sudan, as in any other country, without waiting for the result of confidential inquiries carried out by a body with restricted membership. Pursuant to rule 131 of the rules of procedure of the General Assembly, which the Chairman had earlier read out, he proposed that draft resolution A/C.3/47/L.77 should be considered before draft resolution A/C.3/47/L.72, which would then serve no purpose.

77. Mr. YOUSIF (Sudan) said that his delegation would oppose the proposal made by the representative of the United Kingdom. Whatever its legal guise, the proposal was both an attempt to dictate to the Committee what action it should take and a display of arrogance, as well as a way of bending the rules by undemocratic means. He protested against the undue influence that some delegations exerted over others to obtain support for their motions, and called upon the members of the Committee to ensure that exceptions to the rules did not become a habit. The representative of the United Kingdom had not provided any convincing reason for an exception to rule 131 of the rules of procedure.

78. In order to ensure that the reference to draft resolution A/C.3/47/L.77 in the preamble to draft resolution A/C.3/47/L.72 was not an obstacle to the consideration of the latter draft resolution, he suggested that the operative

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part of the draft resolution submitted by his delegation should be revised to read:

> "Decides to postpone any action at this session on the situation of human rights in the Sudan until the Commission on Human Rights considers the issue at its next session in the light of the requested reports."

In order to eliminate all reference to draft resolution A/C.3/47/L.77, he suggested that the last preambular paragraph of draft resolution A/C.3/47/L.72 should be deleted.

79. Mr. WILLIS (Australia) said that he supported the proposal by the representative of the United Kingdom; draft resolution A/C.3/47/L.77 should be considered before draft resolution A/C.3/47/L.72.

80. The CHAIRMAN once again read out rule 131 of the rules of procedure of the General Assembly.

81. A recorded vote was taken on the United Kingdom motion that draft resolution A/C.3/47/L.77 should be considered before draft resolution A/C.3/47/L.72.

In favour: Albania, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Belgium, Bolivia, Botswana, Bulgaria, Burundi, Canada, Costa Rica, Croatia, Cyprus, Czechoslovakia, Denmark, Estonia, Fiji, Finland, France, Germany, Ghana, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kenya, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Mauritius, Micronesia (Federated States of), Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Saudi Arabia, Sierra Leone, Slovenia, Spain, Sweden, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against: China, Cuba, Democratic People's Republic of Korea, Iran (Islamic Republic of), Iraq, Jordan, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Myanmar, Sudan, Syrian Arab Republic, Viet Nam.

Abstaining: Afghanistan, Algeria, Angola, Azerbaijan, Bahamas, Barbados, Belarus, Belize, Benin, Brazil, Cameroon, Chile, Colombia, Côte d'Ivoire, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Guatemala, Guyana, India, Indonesia, Jamaica, Kazakhstan, Lesotho, Mexico, Namibia, Nepal, Papua New Guinea, Peru, Philippines, Saint Kitts and Nevis, Singapore, Sri Lanka, Suriname, Swaziland, Thailand, Uganda, United Republic of Tanzania, Venezuela, Zambia, Zimbabwe.

82. The United Kingdom motion was adopted by 69 votes to 13, with 42 abstentions.

83. Mr. MOTSYK (Ukraine), speaking in explanation of vote after the vote, said that he had voted in favour of the motion to reverse the order in which the two draft resolutions should be considered. He believed that the revision proposed by the Sudan in no way changed the substance of the issue, and that if draft resolution A/C.3/47/L.72 had been put to the vote first, many States would not have had an opportunity to express their views.

Draft resolution A/C.3/47/L.77

84. The CHAIRMAN invited the members of the Committee to consider the draft resolution entitled "The situation in the Sudan". Samoa and Ghana had become sponsors of the draft resolution, and a recorded vote had been requested.

85. Mr. YOUSIF (Sudan), speaking in explanation of vote before the vote on draft resolution A/C.3/47/L.77, said that his delegation would vote against the draft resolution, but would first move that the Committee should not take any action on the text. In the view of his delegation, the accusations contained in draft resolution A/C.3/47/L.77 had no basis in reality, and the draft resolution had been put forward by the United States of America as retaliation against the Sudan following the execution of a Sudanese employee of the USAID office in the Sudan. That person had carried out criminal acts which had resulted in numerous deaths in the city of Juba in June 1992. The fourth preambular paragraph referred to reports that had been submitted to the Commission on Human Rights at its forty-eighth session, but the information in the reports had not yet been verified. The resolution adopted in Dakar by the Organization of African Unity and the Addis Ababa Agreement of July 1990, referred to in the third preambular paragraph, had nothing to do with the issue raised in draft resolution A/C.3/47/L.77. The accusations that the Sudanese Government was impeding humanitarian assistance were belied by the agreement concluded between the Sudan and the United Nations, and by the fact that his Government had already authorized the United Nations to use 21 humanitarian corridors out of 27 requested to ensure passage of its assistance. The eighth preambular paragraph, which referred to the mass exodus of refugees into neighbouring countries, deliberately ignored the fact that the Sudan was giving refuge to over 1 million refugees from neighbouring countries, while Sudanese refugees in those countries, who had moved for geographical reasons, numbered only 274,000. The accusations of racial discrimination were also malicious and unfounded. Furthermore, the draft resolution magnified the scope of the conflict and the seriousness of the situation in southern Sudan. The rebels in southern Sudan had been expelled from their last stronghold in summer 1992, and his Government was trying to normalize the life of thousands of returnees.

86. He wondered what reasons other than political ones could have motivated the submission of draft resolution A/C.3/47/L.77, since the Commission on Human Rights had been seized of the situation and was investigating certain of

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the accusations contained in the reports submitted to it. Political reasons had also been behind the European Community's decision to increase customs duties on Sudanese exports to Europe.

87. The United States representative had made accusations against his country concerning the bulldozing of houses and a planned military offensive, whereas the actions in question were part of his Government's plans for housing and the environment. His delegation would have hoped that the United States delegation and the sponsors of the draft resolution would recognize the efforts made by his Government to end the hostilities and encourage his country to carry out its economic reform plan. His delegation hoped that the international community would vote against draft resolution A/C.3/47/L.77.

88. The CHAIRMAN said that the representative of the Sudan had asked the Committee not to take action on draft resolution A/C.3/47/L.77. In that connection, he drew attention to the provisions of rule 116 of the rules of procedure of the General Assembly, which stated that: "During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, two representatives may speak in favour of, and two against, the motion, after which the motion shall be immediately put to the vote. The Chairman may limit the time to be allowed to speakers under this rule."

89. Mr. RAVEN (United Kingdom) and Mr. WILLIS (Australia) spoke against the motion for adjournment of the debate put forward by the representative of the Sudan.

90. At the proposal of the the Chairman, a recorded vote was taken on the motion put forward by the Sudan.

In favour: China, Cuba, Democratic People's Republic of Korea, Iran (Islamic Republic of), Iraq, Jordan, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Myanmar, Sudan, Syrian Arab Republic, Viet Nam.

Against: Albania, Algeria, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Benin, Bolivia, Brazil, Bulgaria, Burundi, Canada, Chile, Costa Rica, Croatia, Cyprus, Czechoslovakia, Denmark, Estonia, Finland, France, Germany, Ghana, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kenya, Kuwait, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Marshall Islands, Mauritius, Micronesia (Federated States of), Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, Saudi Arabia, Sierra Leone, Singapore, Slovenia, Spain, Sweden, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Zambia.

Abstaining: Afghanistan, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Barbados, Belize, Botswana, Cameroon, Colombia, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Guatemala, Guyana, Honduras, India, Indonesia, Jamaica, Kazakhstan, Malaysia, Mexico, Namibia, Nigeria, Papua New Guinea, Philippines, Saint Kitts and Nevis, Sri Lanka, Suriname, Swaziland, Thailand, Uganda, United Republic of Tanzania, Venezuela, Zimbabwe.

91. The motion put forward by the Sudan was rejected by 77 votes to 12, with 36 abstentions.

92. Mr. ALI (Iraq) said that his delegation would vote against draft resolution A/C.3/47/L.77. In its opinion, the sole aim of the draft resolution was to penalize the Sudan and put pressure on it for political reasons.

93. At the request of the representative of the Sudan, a recorded vote was taken on draft resolution A/C.3/47/L.77.

In favour: Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Bulgaria, Burundi, Canada, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Japan, Kenya, Kuwait, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, Saudi Arabia, Sierra Leone, Singapore, Slovenia, Spain, Suriname, Sweden, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Venezuela, Zambia, Zimbabwe.

Against: Cuba, Iran (Islamic Republic of), Iraq, Libyan Arab Jamahiriya, Myanmar, Sudan, Syrian Arab Republic.

Abstaining: Afghanistan, Bahamas, Bangladesh, Barbados, Belize, Brunei Darussalam, Cameroon, China, Congo, Côte d'Ivoire, Guyana, Indonesia, Jamaica, Jordan, Kazakhstan, Lao People's Democratic Republic, Malaysia, Mauritania, Niger, Nigeria, Pakistan, Philippines, Saint Kitts and Nevis, Sri Lanka, Swaziland, Thailand, Viet Nam.

94. Draft resolution A/C.3/47/L.77 was adopted by 102 votes to 7, with 27 abstentions.

95. Mr. SERGIWA (Libyan Arab Jamahiriya) said that his delegation had voted against the draft resolution because, as the Special Rapporteur had neither completed his investigation nor submitted his report, there were no clearly established facts to substantiate the charges made. His country's position did not reflect a lack of interest in human rights questions - quite the opposite.

96. Mr. MORA GODOY (Cuba) said that his delegation had voted against draft resolution A/C.3/47/L.77 because it believed that the established norms and procedures for ensuring respect for human rights had not been respected. The logical approach would have been to wait for the results of the investigation into the human rights situation in the Sudan.

97. Mr. ZHANG Yishan (China) stated for the record that his country had voted against the draft resolution, but that its vote had been recorded as an abstention. He requested that the error in recording the vote be corrected and that the correction appear in the summary record of the meeting. China supported the position of the Sudan and believed that the procedure followed by the Commission on Human Rights should be respected.

98. Mr. YOUSIF (Sudan) thanked all the delegations which had understood his country's position despite the disinformation campaign waged by the United States press; he was delighted that the Sudan had so many friends in Africa and throughout the world.

99. The CHAIRMAN said that since draft resolution A/C.3/47/L.77 had been adopted, there was no reason to consider draft resolution A/C.3/47/L.72.

The meeting rose at 6 p.m.